

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TEXAS
SHERMAN DIVISION**

UNITED STATES OF AMERICA,)	
Plaintiff,)	
)	Case No. 4:19-cv-00415
v.)	
)	Filed Electronically
ALEXANDRU BITTNER,)	
Defendant.)	

**JOINT MOTION TO EXTEND THE DEADLINES TO RESPOND TO THE PARTIES
RESPECTIVE MOTIONS FOR PARTIAL SUMMARY JUDGMENT**

Defendant, Alexandru Bittner and Plaintiff the United States of America (collectively, the “Parties”), by their undersigned counsel, respectfully move the Court to extend the deadlines for the Parties to respond to the Motions for Partial Summary Judgment filed by the Parties (ECF Nos. 28 & 29) and in support thereof, states as follows:

1. Pursuant to Local Rule CV-7(e) a party has 21 days to file a response to a motion for summary judgement. Here, the Parties responses are currently required to be filed on April 2, 2020.
2. The Parties wishes to extend the deadline to respond by 15 days until April 17, 2020.
3. Many of the relief provisions congress recently passed in the Families First Coronavirus Response Act and the Coronavirus Aid, Relief, and Economic Security Act are delivered through the tax code (and administered by IRS). Defendant’s counsel is focused on trying to keep up with clients’ immediate need to understand how these relief provisions apply to their businesses, particularly decisions concerning workforce and payroll.

4. Further, due to various shelter in place orders, counsel for both Parties have transitioned to working from home, which has delayed preparation of their respective responses.

5. The request is not made for delay but to allow the Parties adequate time to effectively advocate for their respective clients.

WHEREFORE, the Parties respectfully requests the Court to grant this Motion.

Dated: April 2, 2020

Respectfully submitted,

By: /s/ Farley P. Katz

FARLEY P. KATZ, LEAD ATTORNEY

State Bar No. 11108790

FKatz@clarkhill.com

RACHAEL RUBENSTEIN

State Bar No. 24073919

RRubenstein@clarkhill.com

FORREST M. "TEO" SEGER III

State Bar No. 24070587

TSeger@clarkhill.com

CLARK HILL STRASBURGER

2301 Broadway Street

San Antonio, Texas 78215

210-250-6006 Ph.

210-258-2714 Fax

ATTORNEYS FOR DEFENDANT

RICHARD E. ZUCKERMAN

Principal Deputy Assistant Attorney General

/s/ Herbert W. Linder

HERBERT W. LINDER

Ohio Bar No. 0065446

Attorneys, Tax Division

U.S. Department of Justice

717 N. Harwood St., Suite 400

Dallas, Texas 75201

Phone: (214) 880-9754/2432

Fax (214) 880-9741

herbert.w.linder@usdoj.gov

ATTORNEYS FOR UNITED STATES

CERTIFICATE OF SERVICE

The undersigned hereby certifies that on April 2, 2020, a true and correct copy of the foregoing was electronically filed with the Clerk of Court using the CM/ECF system, which will send notification of such filing to the following:

Herbert W. Linder
Attorney, Tax Division
United States Department of Justice
717 N. Harwood, Suite 400
Dallas, Texas 75201
Herbert.W.Linder@usdoj.gov
Attorney for Plaintiff,
United States

/s/Rachael Rubenstein
RACHAEL RUBENSTEIN